

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

**JUDGMENT IN A CIVIL CASE**

**Jeffrey J. Chowaniec**  
Plaintiff(s)

vs.

**CASE NUMBER: 6:24-cv-85 (DNH/TWD)**

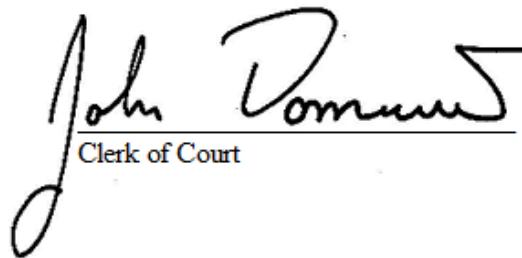
**Brandon Macera**  
Defendant(s)

**Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED: ORDERED that 1. The Report & Recommendation is ACCEPTED; 2. Plaintiffs complaint is DISMISSED; 3. Plaintiffs Fourth Amendment claim against the Whitesboro Police Department is DISMISSED WITH PREJUDICE; 4. Plaintiffs Fourth Amendment claim against Macera is DISMISSED WITH LEAVE TO AMEND; 5. Plaintiff shall have thirty (30) days in which to file an amended complaint that conforms with the specific instructions set forth in the R&R; 6. If plaintiff timely files an amended pleading, the Clerk is directed to return the matter to Judge Dancks for further review as appropriate; and 7. If plaintiff does not timely file an amended pleading, the Clerk is directed to close this matter without further Order of the Court.

All of the above pursuant to the order of the Honorable **David N. Hurd**, dated April 4, 2024.

DATED: May 9, 2024

  
John Dominick  
Clerk of Court

s/Kathy Rogers  
Deputy Clerk